

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

SUNRISE TELECOM INCORPORATED,  
a Delaware Corporation,

Plaintiff,

v.

ACTERNA, LLC, a Delaware Company,

Defendant.

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Case No. 02-05-CV-343

**STIPULATED DISMISSAL**

It is hereby stipulated and agreed by and between Sunrise Telecom Incorporated and Acterna, LLC that the parties hereby voluntarily dismiss, pursuant to Federal Rule of Civil Procedure 41(a), without prejudice all causes of action brought against each other. Each party is to bear their own costs and attorneys' fees. The Court will keep jurisdiction to enforce any protective order entered in this case.

Dated: September 14, 2005

Respectfully Submitted,

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Dated: September 14, 2005

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) this 14th day of September, 2005. Any other counsel of record will be served by facsimile transmission and/or first class mail.

/s/ Abby Ako-Nai /s/

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